

IN RE:
EDWARD RIVERA TRINIDAD
NAOMI C MOLINA MARTINEZ

CASE NO. 13-00444-BKT

CHAPTER 13

DEBTOR (S)

TRUSTEE'S UNFAVORABLE REPORT ON PROPOSED PLAN CONFIRMATION UNDER §1325

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1325**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.** Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$3,537.00 R2016 STM. \$3,000.00**

TOTAL ATTORNEYS FEES THRU PLAN: \$2,574.00 Fees paid: \$0.00 Fees Outstanding: \$2,574.00
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With respect to the proposed (amended) Plan dated: **September 09, 2013** (Dkt 52). Plan Base: **14,052.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Feasibility [§1325(a)(6)]: Default in payments to Trustee.
Debtors have accrued arrears in the amount of \$176.00

- Feasibility [§1325(a)(5)]: Plan fails to provide for an allowed secured claim.
Plan needs to be amended to provide for the payment in full of RELIABLE, since the full amount of the POC no. 5-1 filed by Reliable is \$832.65 and arrears \$27.30.

- Other/Comments

As per POC 6-2 filed by IRS debtor did filed 1040 PR year 2009-2011, complying with section 1308.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this September 25, 2013.

/s/ Julié Perez -Staff Attorney

JOSE R. CARRION
CHAPTER 13 TRUSTEE
PO Box 9023884, San Juan, PR 00902-3884
Tel. (787) 977-3535 Fax (787) 977-3550

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